



**MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR**

**FACULTY OF LAW**

**FIRST YEAR BACHELOR OF LAWS**

(Effective from Session 2019-20)

PAPER – IV (PAPER CODE - 6003)

(PAPER NAME – **LAW OF TORTS INCLUDING CONSUMER PROTECTION AND M. V. ACCIDENT LAWS**)

Max. Marks: 100

Min. Marks: 36

**Note:** A. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

1. Definition, Nature, Scope, Objects and elements of Tort, Maxims, Extinction or discharge of tortious Liability,
2. General defences of Tortious Liability.
3. Vicarious Liability, Doctrine of Common Employment, State Liability,
4. Remedies, Kinds and Measures of damages - Remoteness of damages.
5. **Torts to person-**. Assault, Battery, False Imprisonment, Nervous shock, malicious prosecution, defamation.  
**Torts in relation to property-** Negligence, Nuisance, Interference with contract or business, intimidation, conspiracy, deceit or fraud, Trespass by humans or cattle
6. **Liability -**
  - (A) Strict Liability and its exceptions
  - (B) Absolute Liability in India
  - (C) Public Liability Insurance Act 1991 – Objects and silent features of Act and procedure for claims.
7. **The Consumer Protection Laws** - Latest Consumer Protection Act, Definitions, Concept, Authorities, Jurisdiction, Powers, Consumer Rights
8. **Motor Vehicles Laws** - M.V. Accident Protection Law; Liability without fault in certain cases (Chapter 10)• Insurance of Motor Vehicles against third party risk (Chapter 11)• Claim Tribunals (Chapter 12)•

**LEADING CASES FOR EXAMINATION:**

1. Ashby v. White, (1703) 2 Lord Raym 938
2. State of Rajasthan v. Ms. Vidhyawati, A.I.R., 1962 S.C. 983
3. Rylands v. Fletcher, 1868, L.R. 3, H.L. 330
4. Donoghue v. Stevenson (1932), A.C. 562
5. National Insurance v. Swaran Singh & Ors., 2004 3 SCC 297

**CASES FOR READING:**

1. Wagon Mound's Case (1961), W.L.R. 121
2. Smith v. Charles Baker and Sons, (1891) AC 325 (HL)
3. M. C. Mehta v. Union of India, AIR 1987 SC 1086 (Absolute Liability)
4. King v. Phillips, (1953) 1 QB 429

**SUGGESTED READINGS:**

1. Ratan Lal : The Law of Torts.
2. R. K. Bangia : Law of Torts
3. Winfield and Jolowicz: Tort
4. Ramaswami Iyer : Law of Torts
5. Salmond : Law of Torts
6. Street : Law of Torts
7. G.S. Karkara : Contributory Negligence
8. Gurbax Singh : Law of Consumer Protection
9. P. Leelakrishnan : Consumer Protection and Legal Control
10. Avtar Singh : Law of Consumer Protection
11. जय नारायण पांडे : अपकृत्य विधि
12. एम्. एन . शुक्ल अपकृत्य विधि